

Appln No. 10/694,118
Amdt date May 16, 2006
Reply to Office action of December 16, 2005

REMARKS/ARGUMENTS

Claims 1-42 remain pending in this application. Applicant has amended claim 1. Applicant has also amended claims 2, 3, 5-19 and 23-42 to be consistent with the amendments to base claim 1. The amendments find full support in the original specification, claims and drawings. No new matter is presented. Accordingly, Applicant respectfully requests reconsideration and a timely indication of allowance.

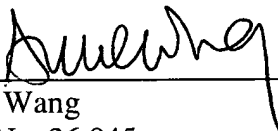
In the Office action dated December 16, 2006, the Examiner rejected claims 1-18, 23-33 and 36-42 under 35 U.S.C. § 103(a) as allegedly obvious over Abele, et al. (U.S. Patent No. 5,403,311) in view of Mulier, et al. (U.S. Patent No. 6,016,809). However, Applicant has amended independent claim 1 to recite a needle electrode assembly comprising a proximal tubing and distal tubing, wherein the proximal tubing is more flexible than the distal tubing. Neither Abele nor Mulier teach or suggest such a feature. Accordingly, independent claim 1, and all claims dependent therefrom, including claims 2-28, 23-33 and 36-42, are allowable over Abele and Mulier.

The Examiner also rejected claims 19-22, 34 and 35 under 35 U.S.C. § 103(a) as allegedly obvious over Abele in view of Mulier and further in view of either Stevens, et al. (U.S. Patent No. 6,866,650) or Tu, et al. (U.S. Patent No. 6,033,402). However, neither Stevens nor Tu remedy the deficiencies of Abele and Mulier since neither reference discloses a needle electrode assembly comprising a proximal tubing and distal tubing, wherein the proximal tubing is more flexible than the distal tubing, as recited in independent claim 1. Therefore, independent claim 1, and all claims dependent therefrom, including claims 19-22, 34 and 35, are allowable over Abele, Mulier, Stevens and Tu.

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In view of the above amendments and remarks, Applicant submits that all of pending claims 1-42 are in condition for allowance. Applicant therefore respectfully requests a timely indication of allowance. However, if there are any remaining issues that can be addressed by telephone, Applicant invites the Examiner to contact Applicant's counsel at the number below.

Respectfully submitted,
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LES/les

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